

REMARKS

Reconsideration of this application as amended is respectfully requested.

In the Office Action, claims 1-30 remain pending. Claims 18-27 and 30 have been withdrawn from consideration. Claims 1-7, 9-17 and 28 have been rejected. Claim 29 was been objected. Claim 8 was objected to, but would be allowable if rewritten in an independent form.

In this response, in response to the restriction requirement, claims 18-28 have been canceled without prejudice. Claims 1, 7-8, and 29-30 have been amended. Applicant acknowledges with appreciation the allowance of claim 8. However, at this time, Applicant elects not to place all the limitations of the allowed claims into their corresponding independent claims because Applicant respectfully believes that the revised independent claims are in condition for allowance. In addition, new claims 31-45 have been added. Thus, claims 1-17 and 29-45 remain pending. No new matter has been added.

Specifically, claim 8 has been amended as an independent claim including all of the limitations of its base and intervening claims. Thus, claim 8 is allowable. Independent claims 1 and 29 have been amended to include an allowable subject matter of claim 8. New claims 30-45 correspond to claims 2-17 respectively.

Claims 29 is objected to under 37 C.F.R. 1.75(c) as being in improper form because a multiple dependent claim must refer to preceding claims in the alternative only. In view of the foregoing amendments, it is respectfully submitted that the objection has been overcome.

Claims 1-7, 9-17 and 28 have been rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 4,791,870 to Simpson ("Simpson"). In view of the

foregoing amendments, it is respectfully submitted that claims 1-17 and 29-45 include limitations that are not disclosed by Simpson and thus, are not anticipated by Simpson.

Specifically, with respect to independent claims 1 and 29 as amended, it is respectfully submitted that Simpson fails to disclose a fuse having a section formulated to provide a sealing function, where the fuse burns in the cavity to cause ignition of the propellant charge and provides at least a partial seal within the cavity. Therefore, independent claims 1 and 29 are not anticipated by Simpson. Given that the rest of the claims depend from one of the independent claims 1 and 29, it is respectfully submitted that the rest of the claims are not anticipated by Simpson. Withdrawal of the rejections is respectfully requested.


In view of the foregoing, Applicant respectfully submits the present application is now in condition for allowance. If the Examiner believes a telephone conference would expedite or assist in the allowance of the present application, the Examiner is invited to call the undersigned attorney at (408) 720-8300.

Please charge Deposit Account No. 02-2666 for any shortage of fees in connection with this response.

Respectfully submitted,

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Date: September 7, 2006



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